

## REQUEST FOR COUNCIL ACTION

MEETING

DATE: 03-03-03

103-

|  |                               |   |
|--|-------------------------------|---|
| AGENDA SECTION:<br>PUBLIC HEARINGS   | ORIGINATING DEPT:<br>PLANNING | ITEM NO.<br><b>E-4</b>                      |
| ITEM DESCRIPTION: Land Subdivision Permit (preliminary plat) #03-01 by Bamber Valley Estates LLC to be known as Bamber Valley Estates. The Plat proposes to subdivide approximately 35 acres of land located north of Salem Road SW (CR 25) and east of Westhill Drive SW. The plat propose approximately 56 lots for single family development and 5 outlots. |                               | PREPARED BY:<br>Theresa Fogarty,<br>Planner |

February 24, 2003

**Note: Staff is recommending a revision to Condition #8. Recommended revisions are shown as ~~strikeout~~ text for text to be deleted and underlined text for text to be added.**

### **City Planning and Zoning Commission Recommendation:**

The City Planning and Zoning Commission held a public hearing on February 12, 2003 to consider this preliminary plat.

Ms. Kristi Clarke of McGhie & Betts, addressed the Commission and stated that the applicant agrees with the staff-recommended conditions, However, they plan to change the width of Outlot A to 28 feet so that there can be parking on one side.

The Planning Commission found that this preliminary plat will conform with the applicable criteria with the following conditions or modifications:

**1. The Plat shall be revised:**

- a. **Providing an additional utility easement along Lots 1-8, Block 1, maintaining a 10' clearance of the water main on the house side.**
- b. **Identify Outlot A as a utility easement.**
- c. **Showing an access easement for the maintenance of Outlots "C" and "D".**
- d. **Changing the text within Outlot "E" to read "(All of Outlot "E" is a drainage and utility easement)."**
- e. **Providing controlled access along the entire frontage of Salem Road SW, with the exception of the public road access for Autumn Lake Avenue SW, along the entire west line of Lot 1, Block 5, the entire east line of Lot 34, Block 1, along the Autumn Lake Court SW right-of-way, along the easterly 35 feet of the Lot 3, Block 4 frontage, the westerly 35 feet of the Lot 4, Block 4 frontage, the Autumn Lake Court SW frontage of Lot 12 & Lot 33 in Block 1, Lots 1 & 12 & Outlot "C" in Block 2 and the southerly 100 feet of the Lot 1, Block 1 frontage on West Hill Drive SW.**

**2. Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 22, 2003.**

**3. In order to provide adequate fire protection, an 8" watermain loop is required through Outlot "E", connecting to the ends of both Westhill Drive SW and Autumn Lake Court SW. Additional fire hydrants and system valves are required meeting the water system layout as required by Rochester Public Utilities – Water Division.**

**COUNCIL ACTION:** Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

4. *The applicant shall identify wetlands on the property and submit information to the Planning Department, Wetlands LGU representative, for review.*
5. *Pedestrian Facilities (concrete sidewalk) shall be required along both sides of all new public roadways within this property, as well as, a 10 foot wide bituminous pedestrian path along the entire frontage of Salem Road SW, and a 10 foot wide bituminous pedestrian path mid-block connection within Outlot "E".*
6. *The applicant shall provide On-site Storm Water Management for this development. A Storm Water Management fee shall apply to any areas of the property that do not drain to an approved privately constructed on-site detention facility. Outlots "C" and "D" shall remain in private ownership and execution of an Ownership & Maintenance Declaration Agreement shall be required, for Outlots "C" and "D", as well as, dedication of access & drainage easement for private detention facilities.*
7. *An Ownership & Maintenance Declaration Agreement shall be required for Outlots "A" and "B" prior to Final Plat approval.*
8. *No parking shall be allowed at any time along either side of Autumn Lake Avenue SW and shall be posted "No Parking. In addition, Outlot "A" is indicated as less than 26 28 feet in width and shall be posted "No Parking" along one side of the roadway.*
9. *Construction and dedication of a temporary turn-around easement at the northerly extent of Autumn Lake Court SW shall be required with the dedication of a temporary turn-around easement being executed with the City prior to recording the final plat.*
10. *Prior to Final Plat submittal, the applicant shall enter into a development agreement with the City that outlines the obligations of the applicant relating to, but not limited to; stormwater management, park dedication, traffic improvements, pedestrian facilities, right-of-way dedication, dedication of controlled access, utility extension and provisions of easements outside the plat boundary for the Sanitary Sewer & Watermain under City Project J7717, phasing of development, Owner & Maintenance Declaration Agreement for Outlots "A" and "B" and contributions for public infrastructure.*
11. *This preliminary plat labels Outlot "E" as a "Drainage & Utility Easement". It is Public Works understanding that drainage within this Outlot will be via storm sewer for up to a 10 storm event, and that surface drainage within the Outlot would occur during larger storm events. Drainage easements within a mid-block Outlot are not typical, but it may be acceptable in this case based on the proposed design. A final determination regarding the combined use within the Outlot will be made through the plan review process.*

Mr. Haeussinger moved to recommend approval of Land Subdivision Permit (preliminary plat) #03-01 by Bamber Valley Estates LLC to be known as Bamber Valley Estates with staff-recommended findings and conditions (as revised by Ms. Baker). Mr. Ohly seconded the motion. The motion carried 6-0.

**Planning Department Recommendation:**

See attached staff report, dated February 7, 2003.

**Council Action Needed:**

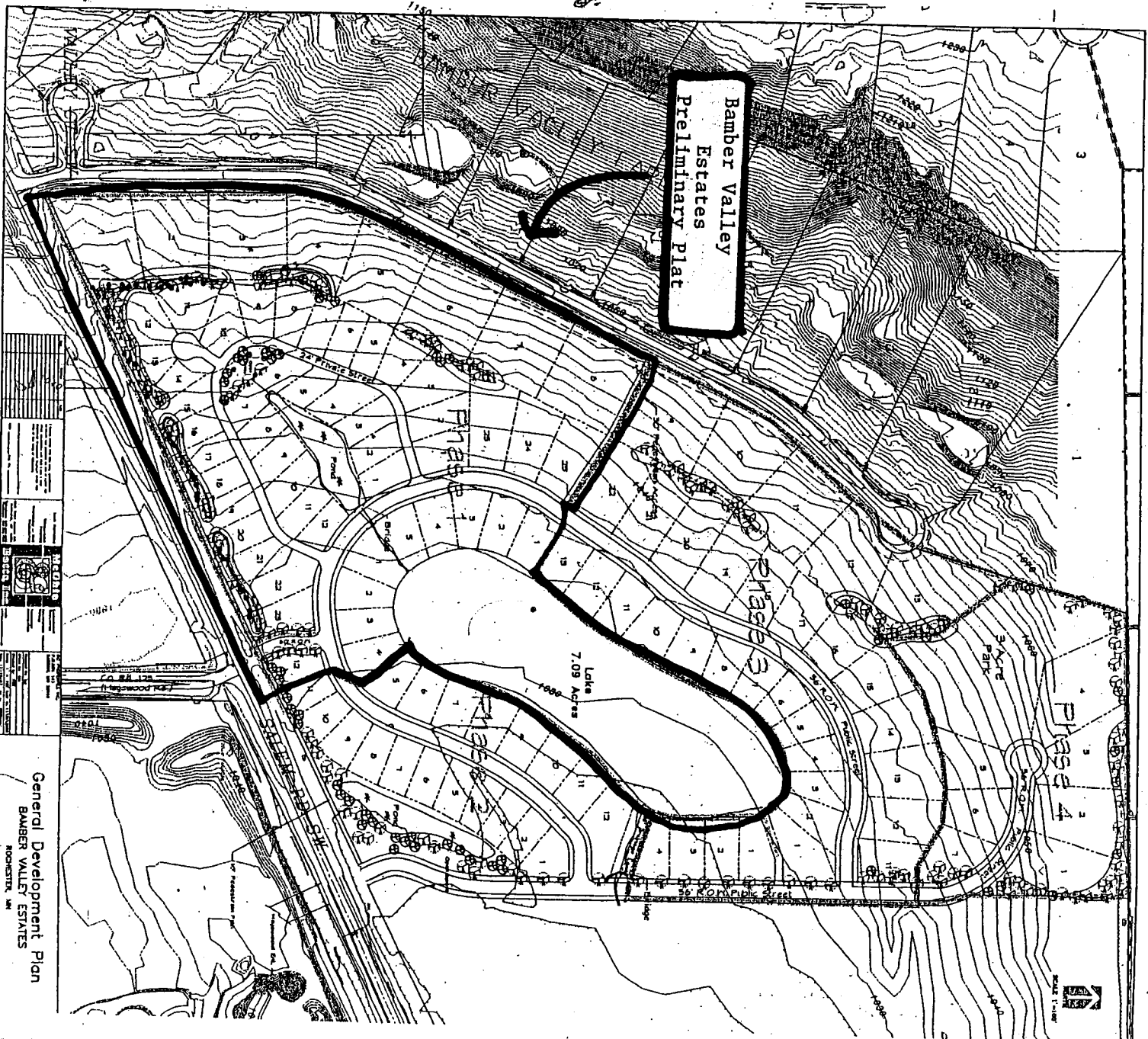
1. *The Council may approve, approve with conditions, or deny the land subdivision permit. The Council must make findings of fact based on the criteria included in the staff report. A motion to deny must include supporting reasons for a conclusion that at least one of the fifteen findings for denial in paragraph 61.225 can be made.*



Preliminary Plat #03-01  
Bamber Valley Estates  
1,200' Notification Distance  
Ward 2 Marcoux  
01/17/03

105





RECEIVED  
JAN - 7 2003

REVISED

PROPOSED

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ROCHESTER-OLMSTED  
PLANNING DEPARTMENT  
2122 CAMPUS DR SE  
ROCHESTER MN 55904-4744  
ADMINISTRATION/ PLANNING 507/285-8232  
GIS/ADDRESSING/ MAPPING 507/285-8232  
HOUSING/HRA 507/285-8224  
BUILDING CODE 507/285-8213  
WELL/SEPTIC 507/285-8345  
FAX 507/287-2275

**TO: City Planning and Zoning Commission**

**FROM: Theresa Fogarty, Planner**

**DATE: February 7, 2003**

**RE: Land Subdivision Permit (preliminary plat) #03-01 by Bamber Valley Estates LLC to be known as Bamber Valley Estates. The Plat proposes to subdivide approximately 35 acres of land located north of Salem Road SW (CR 25) and east of Westhill Drive SW. The Plat proposes approximately 56 lots for single family development and 5 Outlots.**

**Planning Department Review:**

**Applicant/Owner:** Bamber Valley Estates, LLC  
4410 NW 19<sup>th</sup> Street  
Rochester, MN 55901

**Surveyors/Engineers:** McGhie & Betts  
Attn. Kristi Clarke  
1648 Third Avenue SE  
Rochester, MN 55904

**Referral Comments:** Rochester Public Utilities – Water Division  
Rochester Public Utilities – Operational Division  
Rochester Public Works Department  
Park and Rec. Department  
Rochester Fire Department  
MN Department of Transportation  
Planning Department - John Harford, Wetlands Representative

**Report Attachments:**

1. Land Development Manual Excerpts
2. Referral Comments ( 7 letters)
3. Copy of Preliminary Plat
4. Location Map
5. Proposed Bamber Valley Estates General Development Plan

**Development Review:**

**Location of Property:** The property is located north of Salem Road SW (CR 25) and east of Westhill Drive SW.



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- Zoning:** The property is zoned R-1 (Mixed Single Family Residential) district on the City of Rochester Zoning Map.
- Proposed Development:** This development consists of 35 acres of land to be subdivided into 56 lots for single-family development and 5 Outlots.
- Roadways:** This plat proposes to dedicate right-of-way for two new roadways.
- The first roadway labeled as "Autumn Lake Court SW" is designed with a 56' right-of-way. Construction of a temporary turn-around and dedication of an applicable temporary easement is required at the northerly extent of this roadway.
- The second roadway labeled as "Autumn Lake Avenue SW" is designed with a 60' right-of-way. No parking will be allowed at any time along either side of this roadway.
- A third roadway labeled as "Outlot A" (to be named "Autumn Sage Court SW") will be designated as a private roadway and is designed with a 28.08' right-of-way. Roadways less than 36 feet in width shall be posted "No Parking" along one side of the street.
- Controlled access will be required along the entire frontage of Salem Road SW, with the exception of the public road access for Autumn Lake SW. Additional controlled access will be required along the entire west line of Lot 1, Block 5 and the entire east line of Lot 34, Block 1 and along Autumn Lake Court SW right-of-way along the easterly 35 feet of the Lot 3, Block 4 frontage, and the westerly 35 feet of the Lot 4, Block 4 frontage, the Autumn Lake Court SW frontage of Lot 12 and Lot 33 in Block 1 and Lots 1 & 12, & Outlot "C", in Block 2 and the southerly 100 feet of Lot 1, Block 1 frontage on Westhill Drive SW.
- Pedestrian Facilities:** Pedestrian Facilities (concrete sidewalk) will be required along both sides of all new public roads within this property, as well as, a 10 foot wide bituminous pedestrian path along the entire frontage of Salem Road SW and a 10 foot bituminous pedestrian path mid-block connection within Outlot "E".
- Drainage:** The property generally drains from the northwest, to the southeast. Elevations range from 1062' Mean Sea Level (MSL) along the northwest side of the parcel along Westhill Drive to 1028' MSL at the southeast corner of the plat.

**Drainage (Continued):**

Storm Water Management must be provided for this development. A Storm Water Management fee will apply to any areas of the property that do not drain to an approved privately constructed on-site detention facility. A separate charge for down stream conveyance improvements, previously constructed by the City to serve this development, will apply to the entire subdivision. Due to the high water table, care shall be taken in the design of the pond to minimize the potential for ground water contamination.

Onsite stormwater detention is proposed on Outlot "C" and Outlot "D" is proposed as a stormwater retention lake. The plat is not clear on how the stormwater will be conveyed between Outlots "C" & "D" across Autumn Lake Court SW. Through discussions with McGhie & Betts, it was explained that a storm water pipe will be placed under Autumn Lake Court SW directing the storm water from Outlot "C" to Outlot "D".

Execution of an Ownership & Maintenance Agreement is required for Outlots "A" and "B" prior to Final Plat approval.

The two proposed pond features on Outlots "C" and "D" shall remain in private ownership and execution of an Ownership & Maintenance Agreement will be required, as well as dedication of an access easement for maintenance.

The Preliminary Plat labels Outlots "A", "C" & "E" as a "Drainage & Utility Easement". It is Public Works understanding that drainage within this Outlot will be via a storm sewer for up to a 10-year storm event, and that surface drainage within the Outlot would occur during larger storm events. Drainage easements within a mid-block Outlot are not typical, but it may be acceptable in this case based on the proposed design. A final determination regarding the combined use within the Outlot will be made through the plan review process.

**Wetlands:**

The Soil Survey and National Wetland Indicator maps were reviewed for the presence of wetlands. Hydric soils existed on this site according to the Soil Survey. The owner is responsible for identifying wetlands on the property and submitting the information as part of this application,



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**Public Utilities:**

Static water pressures within this area will range from 45 to 60 PSI based on the planned grades. The Water system computer modeling indicates that to provide adequate (interim) flows for fire protection an 8" water main loop is required through Outlot "E" to connect the ends of both Westhill Drive SW and Autumn Lake Drive SW. Other revisions to the proposed water system layout are required, such as the addition of fire hydrants and system valves.

Outlot A contains Sanitary Sewer and Water Mains and therefore will need to be identified as an easement.

An additional utility easement will be required on the lots that front on Westhill Drive. Rochester Public Utilities must maintain 10 foot of clearance from the watermain and need to be on the house side.

Execution of a Contribution Agreement is required to address the Owner's obligations for the extension of Sanitary Sewer and Watermain under the City's Project J7717. At the City's discretion, the Contribution Agreement may be included in the Development Agreement, but in any event, execution is required prior to Final Plat approval.

**Spillover Parking:**

As per Section 63.426 of the LDM, all residential development must provide spillover parking for service vehicles and visitors. This development requires 68 spillover parking stalls. It appears as though the additional parking can be accommodated on the roadways and most likely within private driveways, as well, for the single family homes.

**Parkland Dedication:**

The Park & Recreation Department recommends that dedication requirements be met via: deferred land dedication with dedication to occur with the future dedication of the 3.0 acre park shown on the revised Bamber Valley General Development. Dedication of land to occur when the park site is accessed via public street or when the City wishes to begin development of the park.

**General Development Plan:**

This property is included within the Bamber Valley Estates General Development Plan. This General Development Plan will be considered by the City Council for approval at City Council's February 19, 2003 meeting.

**Staff Review and Recommendation:**

Section 61.225 of the Land Development Manual lists the findings which must be considered by the Planning Commission and the Council when reviewing a land subdivision permit application. This section is attached for your information.

The Planning staff has reviewed this preliminary plat request for compliance with the Rochester Zoning Ordinance and Land Development Manual including Section 61.225 of the LDM. Upon approval of the Bamber Valley Estates General Development Plan by the City Council, the staff recommends approval with the following conditions / modifications:

**1. The Plat shall be revised as follows:**

- a. ***Providing an additional utility easement along Lots 1-8, Block 1, maintaining a 10' clearance of the water main on the house side.***
  - b. ***Identify Outlot A as a utility easement.***
  - c. ***Showing an access easement for the maintenance of Outlots "C" and "D".***
  - d. ***Changing the text within Outlot "E" to read "(All of Outlot "E" is a drainage and utility easement)."***
  - e. ***Providing controlled access along the entire frontage of Salem Road SW, with the exception of the public road access for Autumn Lake Avenue SW, along the entire west line of Lot 1, Block 5, the entire east line of Lot 34, Block 1, along the Autumn Lake Court SW right-of-way, along the easterly 35 feet of the Lot 3, Block 4 frontage, the westerly 35 feet of the Lot 4, Block 4 frontage, the Autumn Lake Court SW frontage of Lot 12 & Lot 33 in Block 1, Lots 1 & 12 & Outlot "C" in Block 2 and the southerly 100 feet of the Lot 1, Block 1 frontage on Westhill Drive SW.***
2. ***Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 22, 2003.***
  3. ***In order to provide adequate fire protection, an 8" watermain loop is required through Outlot "E", connecting to the ends of both Westhill Drive SW and Autumn Lake Court SW. Additional fire hydrants and systems valves are required meeting the water system layout as required by Rochester Public Utilities – Water Division.***
  4. ***The applicant shall identify wetlands on the property and submit information to the Planning Department, Wetlands LGU representative, for review.***
  5. ***Pedestrian Facilities (concrete sidewalk) shall be required along both sides of all new public roadways within this property, as well as, a 10 foot wide bituminous pedestrian path along the entire frontage of Salem Road SW, and a 10 foot wide bituminous pedestrian path mid-block connection within Outlot "E".***

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6. *The applicant shall provide On-site Storm Water Management for this development. A Storm Water Management fee shall apply to any areas of the property that do not drain to an approved privately constructed on-site detention facility. Outlots "C" and "D" shall remain in private ownership and execution of an Ownership & Maintenance Declaration Agreement shall be required, for Outlots "C" and "D" as well as, dedication of access & drainage easements for private detention facilities.*
7. *An Ownership & Maintenance Declaration Agreement shall be required for Outlots "A" and "B" prior to Final Plat approval.*
8. *No parking shall be allowed at any time along either side of Autumn Lake Avenue SW and shall be posted "No Parking". In addition, Outlot "A" is indicated as less than 26 feet and shall be posted "No Parking" along one side of the roadway.*
9. *Construction and dedication of a temporary turn-a-round easement at the northerly extent of Autumn Lake Court SW shall be required with the dedication of a temporary turn-around easement being executed with the City prior to recording the final plat*
10. *Prior to Final Plat submittal the applicant shall enter into a development agreement with the City that outlines the obligations of the applicant relating to, but not limited to; stormwater management, park dedication, traffic improvements, pedestrian facilities, right-of-way dedication, dedication of controlled access, utility extension and provisions of easements outside the plat boundary for the Sanitary Sewer & Watermain under City Project J7717, phasing of development, Owner & Maintenance Declaration Agreement for Outlots "A" and "B" and contributions for public infrastructure.*
11. *This preliminary plat labels Outlot "E" as a "Drainage & Utility Easement". It is Public Works understanding that drainage within this Outlot will be via a storm sewer for up to a 10-year storm event, and that surface drainage within the Outlot would occur during larger storm events. Drainage easements within a mid-block Outlot are not typical, but it may be acceptable in this case based on the proposed design. A final determination regarding the combined use within the Outlot will be made through the plan review process.*

**Reminder to Applicant:**

- Prior to development, the property owner will need to execute a City / Owner Contract for construction of all public infrastructure and utilities to serve this subdivision.
- This Plat is subject to the Subdivision regulations, which became effective May 15, 1999. Approved grading, drainage and construction plans and an executed Development Agreement will need to be submitted with the final plat application, if the applicant intends to record the final plat documents prior to completion of infrastructure improvements.

CITY OF ROCHESTER  
ZONING ORDINANCE AND LAND DEVELOPMENT MANUAL  
EXCERPTS

**61.225 Finding for Land Subdivision:**

The Zoning Administrator, Commission or Council shall approve a development permit authorizing a land subdivision if all of the following findings with respect to the proposed development are made:

- A. The proposed land subdivision conforms to all relevant requirements of this ordinance and variances have been granted to permit any nonconformance.
- B. That the proposed water system and sanitary sewer system are adequate to serve the normal and fire protection demands of proposed development and to provide for the efficient and timely extension to serve future development.
- C. That the plan for soil erosion and stormwater management meets the adopted standards of the City of Rochester and is consistent with the adopted Stormwater Management Plan or adopted drainage or stormwater policies.
- D. That the vehicular and non-motorized system is consistent with adopted transportation plans and is consistent with the street layout standards listed in Section 64.120 and traffic service standards in Section 61.526.
- E. That the lot and block layout provide for safe and convenient vehicular, service and emergency access, efficient utility service connections, and adequate buildable area in each lot for planned uses.
- F. That the proposed land subdivision has taken into account the current 6-Year and other Long-Range Capital Improvements Programs and the elements listed therein in the design of the subdivision.
- G. That the proposed subdivision, if in a resident zoning district, -addresses the need for spillover parking consistent with the requirements of Section 63.426.
- H. That right-of-ways and easements of adequate size and dimensions are -provided for the purpose of constructing the street, utility, and drainage facilities needed to serve the development.
- I. That the proposed parks, trail thoroughfares and open space dedications are consistent with adopted plans, policies and regulations.
- J. That the proposed subdivision will not have off-site impacts on the street, drainage, water or wastewater systems that exceed adopted standards.
- K. That the proposed subdivision will not have adverse impacts on the safety or viability of permitted uses on adjacent properties.
- L. That the proposed land subdivision is designed in such a manner as to allow for continued development in an efficient manner on adjacent undeveloped lands.

*Effective May 15, 1999*

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- M. That the soils, topography and water tables have been adequately studied to ensure that all lots are developable for their designated purposes.
- N. That the proposed land subdivision is consistent with the standards of the City's adopted Comprehensive Plan.
- O. That any land located within Zone A as shown as on the currently adopted Flood Boundary and Floodway Maps of the Flood Insurance Study, Rochester, Minnesota prepared by the Federal Emergency Management Agency, is -determined to be suitable for its intended use and that the proposed subdivision adequately mitigates the risks of flooding, inadequate drainage, soil and rock formations with severe limitation for development, severe erosion potential or any other floodplain related risks to the health, safety or welfare of the future residents of the proposed subdivision in a manner consistent with this ordinance.
- P. That the proposed land subdivision, if approved, would not result in a violation of federal or state law, or city or county ordinance.

**61.226 Conditions on Approvals:**

In considering an application for development permit to allow a land subdivision, the approving body shall consider and may impose modification or conditions to the extent that such modifications or conditions are necessary to insure compliance with the criteria of Section 61.225.

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January 22, 2003

Rochester-Olmsted  
CONSOLIDATED PLANNING DEPARTMENT  
2122 Campus Drive SE  
Rochester, MN 55904-7996

REFERENCE: Preliminary Plat #03-01 by Bamber Valley Estates LLC to be known as Bamber Valley Estates.

Dear Ms. Garness:

Our review of the referenced preliminary plat is complete and our comments follow:

1. Static water pressures within this area will range from 45 to 60 PSI based on the planned grades.
2. Water system computer modeling indicates that to provide adequate (interim) flows for fire protection an 8" water main loop is required through Outlot 'E' to connect the ends of both Westhill Drive and Autumn Lake Court SW.
3. Other revisions to the proposed water system layout are required, such as the addition of fire hydrants and system valves. We have provided the applicant's engineering firm with these comments.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson  
Water

C: Doug Rovang, RPU  
Mike Engle, RPU  
Mark Baker, City Public Works  
Vance Swisher, Fire Prevention Bureau  
Gary Schick, Building & Safety  
Kristi Clarke, McGhie & Betts, Inc.  
Bamber Valley Estates LLC



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DATE: January 22, 2003

TO: Jennifer Garness, Planning Dept.  
Rochester-Olmsted Planning Dept.

FROM: Michael J. Engle, Supv. of Distribution Design  
Rochester Public Utilities  
280-1579

SUBJECT: Land Subdivision Permit (preliminary plat) #03-01 by Bamber Valley Estates LLC to be known as Bamber Valley Estates. The Plat proposes to subdivide approximately 35 acres of land located north of Salem Road SW (CR 25) and east of Westhill Drive SW. The Plat proposes approximately 56 lots for single family development and 5 Outlots.

RPU's Operations Division review of the above-referenced preliminary plat is complete and our comments follow:

1. Additional utility easement will be required on the lots that front on Westhill Drive. We must maintain 10 foot of clearance from the watermain and need to be on the house side.

Sincerely,

la

c: Bamber Valley Estates, LLC  
McGhie & Betts, Inc.

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# ROCHESTER

— Minnesota —

TO: Consolidated Planning Department  
2122 Campus Drive SE  
Rochester, MN 55904

DEPARTMENT OF PUBLIC  
WORKS  
201 4<sup>th</sup> Street SE Room 108  
Rochester, MN 55904-3740  
507-287-7800  
FAX – 507-281-6216

FROM: Mark E. Baker

DATE: 1/31/03

The Department of Public Works has reviewed the application for Preliminary Plat #03-01, for Bamber Valley Estates (part of GDP#196). The following are Public Works comments on this request:

1. Prior to Final Plat submittal, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, stormwater management, park dedication, traffic improvements, pedestrian facilities, right-of-way dedication, dedication of controlled access, utility extension, phasing of development, and contributions for public infrastructure.
2. Execution of a Contribution Agreement is required to address the Owner's obligations for the extension of Sanitary Sewer & Watermain under City Project J7717. At the City's discretion, Contribution Agreement may be included in the Development Agreement, but in any event, execution is required prior to Final Plat approval.
3. Storm Water Management must be provided for this development. A Storm Water Management fee will apply to any areas of the Property that do not drain to an approved privately constructed on-site detention facility. A separate charge for down stream conveyance improvements, previously constructed by the City to serve this development, will apply to the entire subdivision. Due to the high water table, care should be taken in the design of the pond to minimize the potential for ground water contamination.
4. The two proposed pond features on Outlots "C" & "D" shall remain in private ownership, and execution of an Ownership & Maintenance Agreement will be required, as well as dedication of an access easement for maintenance.
5. Execution of an Ownership & Maintenance Agreement is required for Outlots "A" & "B" prior to Final Plat approval.
6. Pedestrian facilities (concrete sidewalk) will be required along both sides of all new public roads within this property, as well as, a 10 foot wide bituminous pedestrian path along the entire frontage of Salem Rd SW, and a 10 foot wide bituminous pedestrian path mid-block connection within Outlot "E".



# ROCHESTER

— Minnesota —

TO: Consolidated Planning Department  
2122 Campus Drive SE  
Rochester, MN 55904

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DEPARTMENT OF PUBLIC  
WORKS  
201 4<sup>th</sup> Street SE Room 108  
Rochester, MN 55904-3740  
507-287-7800  
FAX – 507-281-6216

FROM: Mark E. Baker

7. The Preliminary Plat labels the Outlot as a "Drainage & Utility Easement". It is Public Works understanding that drainage within this Outlot will be via a stormsewer for up to a 10 year storm event, and that surface drainage within the Outlot would occur during larger storm events. Drainage easements within a mid-block Outlot is not typical, but it may be acceptable in this case based on the proposed design. A final determination regarding the combined use within the Outlot will be made through the plan review process.
8. Controlled access will be required along the entire frontage of Salem Rd SW, with the exception of the public road access for Autumn Lake Ave SW. Additional controlled access will be required along the entire west line of Lot 1, Block 5 and entire east line of Lot 34, Block 1, and along the Autumn Lake Court SW right-of-way along the easterly 35 feet of the Lot 3, Block 4 frontage, and the westerly 35 feet of the Lot 4, Block 4 frontage, the Autumn Lake Court SW frontage of Lot 12 & Lot 33 in Block 1, and Lots 1 & 12, & Outlot "C", in Block 2, and the southerly 100 feet of the Lot 1, Block 1 frontage on Westhill Dr SW.
9. Preliminary Construction Plan comments will be provided separately to the Developer's Engineer
10. Execution of a City-Owner Contract will be required prior to construction of public infrastructure.
11. Construction of a temporary turn-around, and dedication of an applicable temporary easement is required at the northerly extent of Autumn Lake Court SW.
12. No parking will be allowed at any time along either side Autumn Lake Ave SW.

The following charges/fees are applicable for the development of the property (rates are valid through 7/31/03, and subject to annual review and change):

- ❖ Sanitary Sewer Availability Charge (SAC) @ \$1790.25 per developable acre
- ❖ Water Availability Charge (WAC) @ \$1,790.25 per developable acre.
- ❖ Contribution for J7717 Sanitary Sewer & Watermain extension, estimated at \$109,485.00 based on the project feasibility report
- ❖ Storm Water Management – TBD, for any areas that do not drain to an approved privately constructed on-site detention facility, plus a downstream conveyance charge for improvements previously completed by the City to serve this development.
- ❖ Traffic Signs as determined by the City Engineer.

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**ROCHESTER PARK AND RECREATION DEPARTMENT**  
**201 FOURTH STREET SE**  
**ROCHESTER MINNESOTA 55904-3769**  
**TELE 507-281-6160**  
**FAX 507-281-6165**

## **M E M O R A N D U M**

**DATE:** January 22, 2003  
**TO:** Jennifer Garness  
Planning  
**RE:** Preliminary Plat # 03-01  
Bamber Valley Estates

|                                |            |
|--------------------------------|------------|
| Acreage of plat.....           | 35 acres   |
| Number of dwelling units.....  | 56 units   |
| Density factor.....            | .0244      |
| Dedication .....               | 1.37 acres |
| Fair market value of land..... | na         |

The Park and Recreation Department recommends that dedication requirements be met via: Deferred land dedication with dedication to occur with the future dedication of the 3.0 acre park shown on the revised Bamber Valley Estates GDP. Dedication of land to occur when the park site is accessed via public street or when the City wishes to begin development of the park.



January 30, 2003

Bamber Valley Estates, LLC  
4410 NW 19<sup>th</sup> Street  
Rochester, MN 55901

Re: Land Subdivision Permit (preliminary plat) 03-01 by Bamber Valley Estates LLC to be known as Bamber Valley Estates.

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.

Streets less than <sup>26</sup>~~36~~ feet in width shall be posted "No Parking" along one side of the street. The streets associated with this plan are indicated as less than 26 feet and will require "No Parking" signage along one side of the streets.

3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

Sincerely,

R. Vance Swisher  
Fire Protection Specialist

c: Rochester – Olmsted Consolidated Planning Department  
Donn Richardson, RPU, Water Division  
McGhie & Betts, Inc, Attn: Kristi Clarke, 1648 3<sup>rd</sup> Ave SE, Rochester, MN 55904



Minnesota Department of Transportation

**Minnesota Department of Transportation - District 6**

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January 27, 2003

Jennifer Garness  
Rochester-Olmsted Planning Department  
2122 Campus Drive SE – Suite 100  
Rochester, MN 55904

**RE: Land Subdivision Permit (Preliminary Plat) #03-01 by Bamber Valley Estates LLC to be known as Bamber Valley Estates.**

Dear Ms. Garness:

The Minnesota Department of Transportation (Mn/DOT) has reviewed the above proposals. Although these developments do not have direct access to US Highway 14 or US Highway 52, the traffic generated will eventually use US Highway 14 and/or US Highway 52. Mn/DOT requests the City of Rochester to monitor and manage the impacts these developments will have for both City Streets and for Mn/DOT roadways.

Thank you for keeping Mn/DOT informed. Questions may be directed to Fred Sandal, Principal Planner, at (507) 285-7369 or Debbie Persoon-Bement, Plan and Plat Coordinator, at (507) 281-7777.

Sincerely,

Dale E. Maul  
Planning Director

## WETLAND COMMENTS FOR DEVELOPMENT APPLICATIONS

Application Number: Preliminary Plat #03-01 - Bamber Valley Estates

- ☐ No hydric soils exist on the site based on the Soil Survey
- ☒ Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application.
- ☐ A wetland delineation has been carried out for the property and is on file with the Planning Department.
- ☐ A wetland delineation is on file with the Planning Department and a No-Loss, Exemption, or Replacement Plan has been submitted to the Planning Department.
- ☐ A wetland related application has been approved by the City. This plan incorporates the approved wetland plan.
- ☐ No hydric soils exist on the property based on the Soil Survey. However, due to the location in the landscape, the property owner should examine the site for wetlands. The property owner is responsible for identifying wetlands.
- ☐ Other or Explanation:

Ms. Mitzi A. Baker presented the staff report, dated January 30, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

**Mr. Burke moved to recommend approval of Annexation Petition #03-02 by Payne Company. Mr. Ohly seconded the motion. The motion carried 6-0.**

**RIGHT-OF-WAY VACATION:**

**Vacation Petition #03-01, by Robert and Linda Johnson, to vacate Right-of-Way. The applicant is requesting to vacate a 25.5 foot wide reserved and excepted public right-of-way adjoining to and southwesterly of the northeasterly line of Terryville Subdivision.**

Ms. Mitzi A. Baker presented the staff report, dated February 4, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

**Ms. Rivas moved to recommend approval of Vacation Petition #03-01 by Robert and Linda Johnson. Mr. Ohly seconded the motion. The motion carried 6-0.**

**PUBLIC HEARINGS:**

\* **Land Subdivision Permit (preliminary plat) #03-01 by Bamber Valley Estates LLC to be known as Bamber Valley Estates. The Plat proposes to subdivide approximately 35 acres of land located north of Salem Road SW (CR 25) and east of Westhill Drive SW. The Plat proposes approximately 56 lots for single family development and 5 Outlots.**

Ms. Mitzi A. Baker presented the staff report, dated February 7, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Ms. Baker stated that the City can take action on a general development plan and preliminary plat before annexation, but no development permits or final plats could be approved.

Mr. Haeussinger asked why the property wouldn't be completely annexed before going through the process of getting a preliminary plat.

Ms. Kristi Clarke, of McGhie and Betts, Inc. addressed the Commission. She stated that the annexation was reviewed and approved by the City Council. However, they are waiting for final approval from the State of Minnesota.

Ms. Clarke stated that the applicant agrees with the staff-recommended conditions. However, they plan to change the width of Outlot A to 28 feet so that there can be parking on one side. She asked that the condition be reworded.

Ms. Baker stated that the condition also referred to no parking along Autumn Lake Avenue SW.

Ms. Clarke responded that they planned to only widen Outlot A to 28 feet.

Ms. Baker suggested the following wording for condition number 8 as follows: "No parking shall be allowed at any time along either side of Autumn Lake Avenue SW and shall be posted "No Parking." In addition, Outlot A is indicated at 28 feet in width and shall be posted "No Parking" parking along one side."

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Ms. Clarke agreed to the suggested condition.

With no one else wishing to be heard, Ms. Petersson closed the public hearing.

Mr. Haeussinger moved to recommend approval of Land Subdivision Permit (preliminary plat) #03-01 by Bamber Valley Estates LLC to be known as Bamber Valley Estates with the staff-recommended findings and conditions (as revised by Ms. Baker). Mr. Ohly seconded the motion. The motion carried 6-0.

**CONDITIONS:**

1. The Plat shall be revised as follows:
  - a. Providing an additional utility easement along Lots 1-8, Block 1, maintaining a 10' clearance of the water main on the house side.
  - b. Identify Outlot A as a utility easement.
  - c. Showing an access easement for the maintenance of Outlots "C" and "D".
  - d. Changing the text within Outlot "E" to read "(All of Outlot "E" is a drainage and utility easement).
  - e. Providing controlled access along the entire frontage of Salem Road SW, with the exception of the public road access for Autumn Lake Avenue SW, along the entire west line of Lot 1, Block 5, the entire east line of Lot 34, Block 1, along the Autumn Lake Court SW right-of-way, along the easterly 35 feet of the Lot 3, Block 4 frontage, the westerly 35 feet of the Lot 4, Block 4 frontage, the Autumn Lake Court SW frontage of Lot 12 & Lot 33 in Block 1, Lots 1 & 12 & Outlot "C" in Block 2 and the southerly 100 feet of the Lot 1, Block 1 frontage on Westhill Drive SW.
2. Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 22, 2003.
3. In order to provide adequate fire protection, an 8" watermain loop is required through Outlot "E", connecting to the ends of both Westhill Drive SW and Autumn Lake Court SW. Additional fire hydrants and systems valves are required meeting the water system layout as required by Rochester Public Utilities - Water Division.
4. The applicant shall identify wetlands on the property and submit information to the Planning Department, Wetlands LGU representative, for review.
5. Pedestrian Facilities (concrete sidewalk) shall be required along both sides of all new public roadways within this property, as well as, a 10 foot wide bituminous pedestrian path along the entire frontage of Salem Road SW, and a 10 foot wide bituminous pedestrian path mid-block connection within Outlot "E".

6. The applicant shall provide On-site Storm Water Management for this development. A Storm Water Management fee shall apply to any areas of the property that do not drain to an approved privately constructed on-site detention facility. Outlots "C" and "D" shall remain in private ownership and execution of an Ownership & Maintenance Declaration Agreement shall be required, for Outlots "C" and "D" as well as, dedication of access & drainage easements for private detention facilities.
7. An Ownership & Maintenance Declaration Agreement shall be required for Outlots "A" and "B" prior to Final Plat approval.
8. No parking shall be allowed at any time along either side of Autumn Lake Avenue SW and shall be posted "No Parking." In addition, Outlot A is indicated at 28 feet in width and shall be posted "No Parking" parking along one side.
9. Construction and dedication of a temporary turn-a-round easement at the northerly extent of Autumn Lake Court SW shall be required with the dedication of a temporary turn-around easement being executed with the City prior to recording the final plat
10. Prior to Final Plat submittal the applicant shall enter into a development agreement with the City that outlines the obligations of the applicant relating to, but not limited to; stormwater management, park dedication, traffic improvements, pedestrian facilities, right-of-way dedication, dedication of controlled access, utility extension and provisions of easements outside the plat boundary for the Sanitary Sewer & Watermain under City Project J7717, phasing of development, Owner & Maintenance Declaration Agreement for Outlots "A" and "B" and contributions for public infrastructure.
11. This preliminary plat labels Outlot "E" as a "Drainage & Utility Easement". It is Public Works understanding that drainage within this Outlot will be via a storm sewer for up to a 10-year storm event, and that surface drainage within the Outlot would occur during larger storm events. Drainage easements within a mid-block Outlot are not typical, but it may be acceptable in this case based on the proposed design. A final determination regarding the combined use within the Outlot will be made through the plan review process.

Land Subdivision Permit (preliminary plat) #03-02 by Payne Company to be known as Century Hills Seventh Subdivision. The Plat proposes to subdivide approximately 9.44 acres of land into 25 lots for single family development and proposes to dedicate right-of-way for a cul-de-sac roadway. The property is located south of 21<sup>st</sup> Street NE, east of Century Hills First Subdivision, west of Shannon Oaks Subdivision and north of Century Hills Sixth Subdivision.

Ms. Mitzi A. Baker presented the staff report, dated February 4, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Ms. Baker suggested the following revision to condition number 4 as follows: "The cul-de-sac bulb associated with this plan is indicated at less than 96 feet and shall be posted "No Parking"."